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## SENATE COMMITTEE ON HUMAN SERVICES

Senator Becker, Chair  
2025 - 2026 Regular

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**Bill No:** AB 1846  
**Author:** Stefani  
**Version:** March 18, 2026  
**Urgency:** No  
**Consultant:** Heather Hopkins  
**Hearing Date:** June 29, 2026  
**Fiscal:** Yes

**Subject:** Dependency: placement of child with relative

### SUMMARY

This bill clarifies that the relative placement preference for a child who is a dependent of the juvenile court extends throughout the proceedings, if and until parental rights are terminated.

### ABSTRACT

#### Existing Law:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or have been abused or neglected, as specified. (*Welfare and Institutions Code [WIC] 202 et seq.*)
- 2) States legislative intent to preserve and strengthen a child's family ties whenever possible and to reunify a foster youth with their biological family whenever possible, or to provide a permanent placement alternative, such as adoption or guardianship. (*WIC 16000*)
- 3) Requires the social worker, if a child is removed, to conduct, within 30 days, an investigation in order to identify and locate all grandparents, parents of a sibling of the child, other adult relatives of the child, including any other adult relatives suggested by the parents, and, if it is known or there is reason to know the child is an Indian child, any extended family members, as defined. Requires the social worker to provide to all adult relatives who are located, except when that relative's history of family or domestic violence makes notification inappropriate, within 30 days of removal of the child, written notification and to also, whenever appropriate, provide oral notification in person or by telephone, that the child has been removed and various options to participate in the care and placement of the child, among other information. (*WIC 309(e)*)
- 4) Requires the social worker to use due diligence in investigating the names and locations of the relatives and requires each county to create and make public a procedure by which a parent and relatives of a child who has been removed from their parents or guardians may identify themselves to the county. (*WIC 309(e)(3)(A)*)

- 5) Specifies due diligence shall include “family finding,” which means conducting an investigation, including, but not limited to, through a computer-based search engine, to identify relatives and kin and to connect a child or youth, who may be disconnected from their parents, with those relatives and kin in an effort to provide family support and possible placement. If it is known, or there is reason to know, that the child is an Indian child, “family finding” also includes contacting the Indian child’s tribe to identify relatives and kin. *(WIC 309(e)(3)(B))*
- 6) Requires preferential consideration be given to a request by a relative to have the child placed with the relative if the child has been removed from the physical custody of the child's parents, regardless of the relative’s immigration status. *(WIC 361.3(a))*
- 7) Requires, when placing a child in the home of a relative, an extended family member, or non-relative extended family member (NREFM) on a temporary basis, the court to consider the recommendations of the social worker based on the assessment required by current law, including the results of a criminal records check and prior child abuse allegations, if any, before ordering that the child be placed with a relative or NREFM. *(WIC 319(h)(3))*
- 8) Establishes the Center Excellence in Family Finding, Engagement, and Support Program to provide, or contract for the provision of, multi-tiered, culturally appropriate training and technical assistance to county child welfare and probation departments, participating tribes, and foster care providers to enhance their practices, policies, and efforts for family finding, support, and engagement. *(WIC 16546-16549)*
- 9) Requires, in any case in which a child is removed from the physical custody of their parents due to substantial risk to the child's health, safety, or emotional well-being, preferential consideration to be given to a request by a relative of the child for placement of the child with the relative, regardless of the relative’s immigration status. Requires, in determining whether placement with a relative is appropriate, the county social worker and court to consider, but not be limited to, consideration of all the following factors:
  - a. The best interest of the child, including special physical, psychological, educational, medical, or emotional needs;
  - b. The wishes of the parent, the relative, and child, if appropriate;
  - c. The provisions in existing law regarding relative placement;
  - d. Placement of siblings and half siblings in the same home, unless that placement is found to be contrary to the safety and well-being of any of the siblings, as provided;
  - e. The good moral character of the relative and any other adult living in the home, including whether any individual residing in the home has a prior history of violent criminal acts or has been responsible for acts of child abuse or neglect;

- f. The nature and duration of the relationship between the child and the relative, and the relative's desire to care for, and to provide legal permanency for, the child if reunification is unsuccessful;
- g. The ability of the relative to do the following: provide a safe, secure, and stable environment for the child; exercise proper and effective care and control of the child; provide a home and the necessities of life for the child; protect the child from their parents; facilitate court-ordered reunification efforts with the parents; facilitate visitation with the child's other relatives; facilitate implementation of all elements of the case plan; provide legal permanence for the child if reunification fails; arrange for appropriate and safe childcare, as necessary; and,
- h. The safety of the relative's assessed home. (*WIC 361.3(a)*)

**This Bill:**

- 1) Provides that the preference for relative placement in dependency proceedings continues until parental rights are terminated.
- 2) Provides that anytime during dependency proceedings, until parental rights are terminated, the social worker shall assess any relative who requests placement and who has not been previously assessed or found to be unsuitable.
- 3) Provides that if the court has terminated family reunification services prior to the relative's request for placement the county social worker shall consider the following:
  - a. The child's relationship with the current caregiver
  - b. The child's progress toward permanency with the current caregiver
  - c. The child's placement preference
- 4) Provides if the social worker complied with the family finding and notice requirements and the relative's initial request for placement is made after family reunification services have been terminated, the social worker shall have discretion to assess the relative. If the social worker does not assess the relative, the court may order the relative to be assessed upon request by any party or the relative, if the court finds it is in the child's best interests. These requirements do not apply if the parents were not provided reunification services.
- 5) Provides that whenever a new placement of the child must be made, consideration for placement shall again be given to relatives who have not been found to be unsuitable and who will fulfill the child's reunification or permanent plan requirements and the county social worker shall consider whether the relative has established and maintained a relationship with the child.

## FISCAL IMPACT

According to the Assembly Appropriations Committee:

- 1) Unknown but likely minor costs to county child welfare agencies. The bill requires social workers to assess any previously unassessed relative who requests placement after the dispositional hearing, which may include home investigations, background checks, and reports to the court. Under existing law, social workers are already required to identify and assess relatives within 30 days of removal. Any new workload created by this bill would apply when relatives come forward after disposition and were not identified through existing family finding. The bill further limits the obligation by granting social workers discretion whether to assess relatives who first request placement after reunification services have been terminated. Although these county workload costs are mandated by the state, they are not reimbursable, but instead must be funded by the state pursuant to Proposition 30 (2012). Proposition 30 requires legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment to apply to local agencies only to the extent the state provides annual funding for the cost increase.
- 2) Minor and absorbable court workload costs for stating reasons for delayed placement on the record.

## BACKGROUND AND DISCUSSION

### **Purpose of the Bill:**

According to the author, “Every child deserves stability, connection, and love, and for children in our foster care system, those connections often come from extended family. AB 1846 ensures California's kin-first policy applies throughout the entire time a child is in foster care, giving courts clear authority to place children with family whenever it is safe and in their best interest. Research consistently shows that placing foster youth with relatives leads to better outcomes, including fewer placement disruptions, stronger ties to culture and community, and better long-term emotional well-being. But under current law, when a relative comes forward later in the process, the system can make it difficult to prioritize that family connection, leaving children separated from the people who know and love them for months or even years. AB 1846 is about reducing trauma, strengthening families, and making sure our foster care system reflects the simple truth that kids do better when they're with family.”

### *Child Welfare System (CWS)*

The CWS is the system of intervention of child abuse and neglect. This system provides services to children who have been abused or neglected and their families. The goal of this system is to keep children in their home when it is safe, and when the child is at risk, to develop an alternative plan as quickly as possible<sup>1</sup>. Social workers in each county receive reports of abuse or neglect, and work to investigate and resolve those reports. When the investigation substantiates

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<sup>1</sup> <https://www.cdss.ca.gov/inforesources/child-welfare-protection/policies>

the allegations of abuse or neglect, a family is either provided with services to ensure a child's wellbeing and avoid court involvement, or a child is removed from the family and placed into foster care. In 2025, the state's child welfare agencies received 398,861 reports of abuse or neglect. Of these, 45,856 reports contained substantiated allegations, and 17,886 children were removed from their homes and placed into foster care via the CWS system.

### *Placement with Relatives*

State and federal law include a preference to place children in out-of-home care with relatives. For example, Welfare and Institutions Code Section 361.3 states that preferential consideration must be given to a request by a relative of the child for placement of the child with the relative. The child's social worker must always determine whether such a placement is appropriate by considering a variety of factors, as specified, including the ability of the relative to provide a safe, secure, and stable environment for the child, but preference is provided for a relative.

Numerous national studies have documented the poor outcomes of children and youth who are removed from their homes and placed into the CWS: increased rates of chronic health problems, developmental delays and disabilities, mental health needs, and substance abuse problems. Many youth in care have experienced traumatic events, including removal from their homes that lead to symptoms such as depression, behavior problems, hypersensitivity, and emotional difficulties. Twenty-five percent of youth who age-out of care experience Post-Traumatic Stress Disorder – double the rate of U.S. war veterans.<sup>2</sup> Studies have also demonstrated the significant benefit to children in the child welfare system that are placed with relatives rather than with strangers in foster homes or in group care. A 2008 study in the Archives of Pediatric and Adolescent Medicine found that children placed with a family member had fewer behavioral problems three years after placement than children who were placed into foster care. This study also noted that a large body of research acknowledges the evidence that children in care of a family member are less likely to change placements, benefiting from increased placement stability and better outcomes. Researchers also found that children placed with relatives were more likely to remain in their same neighborhood, be placed with siblings, and have consistent contact with their birth parents than other children in foster care.<sup>3</sup>

### *Increasing Number of Youth in Family Placement*

Only about one-third of children in foster care were placed with relatives or non-related extended family.<sup>4</sup> This bill seeks to increase this number by clarifying the law regarding relative placement. Existing law makes clear relative placement preference at the initial placement. It also makes clear this preference exists when a new placement must be made for the child during the dependency case. The law is not clear when a foster youth has been first placed with a non-related Resource Family foster parent and a relative is available and requests placement after the dispositional hearing has occurred if the family placement preference continues. This bill seeks to clarify that the family placement preference continues past disposition, until and if parental rights are terminated.

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<sup>2</sup> [http://www.childrensaidsociety.org/files/upload-docs/report\\_final\\_April\\_2.pdf](http://www.childrensaidsociety.org/files/upload-docs/report_final_April_2.pdf)

<sup>3</sup> *Arch Pediatr Adolesc Med.* 2008;162(6):550-556. doi:10.1001/archpedi.162.6.550.

<sup>4</sup> <https://ccwip.berkeley.edu/>

**Related/Prior Legislation:**

*AB 562 (Solache, Chapter 436, Statutes of 2025)* added to the requirements for county welfare departments when investigating the names and locations of relatives of a child who has been removed from their home due to abuse or neglect, to include an annual review of data comparing the statewide average rate of placing children with relatives, and mandatory communication with the Center for Excellence in Family Finding, Engagement, and Support if the county’s average was less than the statewide average.

*AB 2929 (J. Carrillo, Chapter 845, Statutes of 2024)* required courts and social workers to consider, in status review hearings and supplemental reports, respectively, whether appropriate efforts have been made to locate family members who could support or accept placement of a foster child or non-minor dependent.

**COMMENTS**

Studies of children in foster care have shown that the experience can lead to negative social, emotional and educational outcomes later in life. The CWS includes support services for children and parents to mitigate these harms, but foster care placements play a significant role in the child’s outcomes. Research has shown that children placed with their own relatives and extended family members have greater placement stability, fewer emotional and behavioral problems, and more connections to their biological families and social-cultural communities. This bill makes clear the preference for relative placement continues throughout the dependency case, not just when the child first enters or when the child is being moved to a new placement.

**PRIOR VOTES**

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|------------------------------------|--------|
| Senate Judiciary Committee:        | 12 - 0 |
| Assembly Floor:                    | 68 - 0 |
| Assembly Appropriations Committee: | 14 - 0 |
| Assembly Judiciary Committee:      | 12 - 0 |

**POSITIONS**

**Support:**

- Children's Law Center of California (Co-Sponsor)
- County Welfare Directors Association of California (Co-Sponsor)
- Dependency Legal Services (Co-Sponsor)
- Butte County Employment and Social Services
- California Alliance of Child and Family Services
- California Lawyers Association, Family Law Section
- Seneca Family of Agencies

**Oppose:**

None received

**-- END --**